

NO. 63804-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 30 1998
Returned to applicant for correction _____
Corrected application filed _____
Map filed JUNE 15 1995 UNDER 61239-T

The applicant **LOEB ENTERPRISES, LTD.**, hereby make application for permission to change the manner of use and place of use of water heretofore appropriated under Claim #351 and #352 of the Final Decree in Equity Docket No. A-3, "United States of America vs. Orr Water Ditch Company, et.al."

1. The source of water is **Truckee River**
2. The amount of water to be changed **0.419 CFS not to exceed 138.19 acre feet annually**
3. The water to be used for **dust control, compaction, turf and plant initiation and other construction purposes.**
4. The water heretofore permitted for **as Decreed**
5. The water is to be diverted at the following point **NE1/4 SW1/4 Section 17, T.19N., R.19E., M.D.B.&M or at a point from which the Northwest corner of Section 20, T.19N., R.19E., M.D.B.&M. bears S. 44°40'W., 3211.00 feet. (Orr Ditch and Orr Ditch extensions)**
6. The existing permitted point of diversion is located within
7. Proposed place of use **See Exhibit #1 Attached**
8. Existing place of use **See Exhibit #2 Attached**
9. Use will be from **as Decreed to as Decreed** of each year.
10. Use was permitted from **as Decreed to as Decreed** of each year.
11. Description of proposed works **Water will be diverted from the Orr Ditch into storage ponds and distributed throughout the proposed place of use.**
12. Estimated cost of works **in excess of \$10,000.00**
13. Estimated time required to construct works **existing**
14. Estimated time required to complete the application of water to beneficial use **one year**
15. Remarks: **Water will be used for construction of the Wingfield Springs Golf Course and adjacent residential and commercial developments. See Map filed with Permit #61499-T.**

Robert E. Firth
By s/Robert E. Firth
360 East Riverview Cr.
Reno, NV 89509

Compared lw/bk lw/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claims 351 and 352, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report of the water diverted and placed to beneficial use must be submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 19, 1999 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.419 cubic feet per second, not to exceed 138.19 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

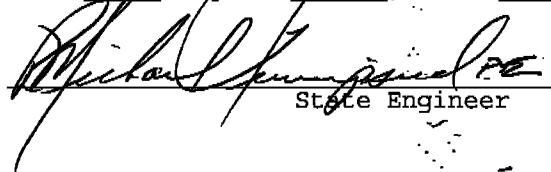
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 20th day of March, A.D. 1998


State Engineer

TEMPORARY

EXPIRED

DATE MAR 20 1999

EXHIBIT 1

Proposed Place of Use

Section 1, T. 20 N., R. 20 E., M.D.B. & M.S $\frac{1}{2}$ SW $\frac{1}{4}$ - 80.0 acresSW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40.0 acresSection 12, T. 20 N., R. 20 E., M.D.B. & M.

All - 640 acres

Section 13, T. 20 N., R. 20 E., M.D.B. & M.NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40.0 acresNE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40.0 acresSW $\frac{1}{4}$ NW $\frac{1}{4}$ - 41.94 acresSE $\frac{1}{4}$ NW $\frac{1}{4}$ - 39.21 acresNW $\frac{1}{4}$ SW $\frac{1}{4}$ - 5.27 acresNE $\frac{1}{4}$ SW $\frac{1}{4}$ - 7.19 acresNW $\frac{1}{4}$ NE $\frac{1}{4}$ - 40.0 acresNE $\frac{1}{4}$ NE $\frac{1}{4}$ - 34.81 acresSW $\frac{1}{4}$ NE $\frac{1}{4}$ - 15.41 acresSE $\frac{1}{4}$ NE $\frac{1}{4}$ - 6.32 acresSection 14, T. 20 N., R. 20 E., M.D.B. & M.NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 7.46 acresSW $\frac{1}{4}$ SW $\frac{1}{4}$ - 1.27 acresNE $\frac{1}{4}$ NW $\frac{1}{4}$ - 7.56 acresSE $\frac{1}{4}$ NW $\frac{1}{4}$ - 4.54 acresSW $\frac{1}{4}$ NW $\frac{1}{4}$ - 7.31 acresNW $\frac{1}{4}$ NE $\frac{1}{4}$ - 8.59 acresNE $\frac{1}{4}$ NE $\frac{1}{4}$ - 3.08 acresSection 15, T. 20 N., R. 20 E., M.D.B. & M.NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 0.58 acresSE $\frac{1}{4}$ SE $\frac{1}{4}$ - 4.12 acresSection 22, T. 20 N., R. 20 E., M.D.B. & M.NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 3.85 acresSE $\frac{1}{4}$ NE $\frac{1}{4}$ - 3.77 acres



Exhibit 2

42.52 acres within:

SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 1, T. 20 N. R. 20 E., M.D.B. & M.	6.4277 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B. & M.	1.4 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B. & M.	3.9 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B. & M.	41.3 acres 27.6951
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B. & M.	20.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B. & M.	23.4 acres

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